

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable Charles R. Breyer, Judge Presiding

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
VS.) **Case No. 3:24-cr-00329-CRB-1**
)
RUTHIA HE, also known as Rujia)
He,)
)
Defendant.)
)

San Francisco, California
Friday, October 4, 2024

TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For Plaintiff:

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ATTORNEY AT LAW

(APPEARANCES CONTINUED ON FOLLOWING PAGE)

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NICHOLAS D. MARAIS
ATTORNEYS AT LAW

Also Present:

Carolyn Truong, Pretrial Services
Amaryllis Austin, Pretrial Services
Silvio Lugo, Pretrial Services
Wayne Decoste, Rescor Group

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2 Friday, October 4, 2024

3 E X H I B I T S

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1 Friday - October 4, 2024

11:00 a.m.

2 P R O C E E D I N G S

3 ---000---

4 **THE CLERK:** Calling Criminal Action CR 24-0329, U.S.A.

5 vs. Ruthia He.

6 Counsel, please step forward and state your appearances
7 for the record.

8 **MS. GREEN:** Good morning, Your Honor. Kristina Green
9 and Lloyd Farnham for the United States.

10 **THE COURT:** Good morning.

11 **MR. FARNHAM:** Good morning.

12 **MS. CHOU:** Good morning, Your Honor. Vicki Chou on
13 behalf of defendant Ruthia He, and Mr. Van Nest and I believe a
14 colleague are appearing in court.

15 **THE COURT:** All right. Good morning.

16 **MS. CHOU:** Good morning.

17 **MR. PETERS:** Elliot Peters and Nick Marais. We were
18 planning to be here, but we also obviously saw the Court's
19 order.

20 **THE COURT:** Well, actually I received notification
21 that you were coming at first; and then I -- I mean, I wouldn't
22 have sent out that order had I thought you'd be here. My
23 concern was that you wouldn't be here, not --

24 **MR. PETERS:** We're here.

25 **THE COURT:** -- that you would willfully not be here.

1 My concern was --

2 **MR. PETERS:** Understood, Your Honor.

3 **THE COURT:** -- that you weren't coming, so that's why
4 I sent -- that's an unusual order, and I don't -- I regret -- I
5 just wouldn't have sent it --

6 **MR. PETERS:** I understand.

7 **THE COURT:** -- in the normal set of conditions.

8 **MR. PETERS:** I just wanted Your Honor to know we were
9 planning to be here.

10 **THE COURT:** Oh, okay. Great.

11 **MR. PETERS:** -- and we are here.

12 **THE COURT:** Okay. I appreciate that, and I wouldn't
13 have thought otherwise.

14 I thought what I want to do is, for the purpose of
15 accuracy, is to identify all the documents, that is, what are
16 referred to as travel documents, that are -- that have been
17 delivered either to the Government or to Pretrial Services and
18 have them marked as exhibits.

19 Do you have them? Did you bring them? This is?

20 **PRETRIAL SERVICES AUSTIN:** Amaryllis Austin.

21 **THE COURT:** Pardon me?

22 **PRETRIAL SERVICES AUSTIN:** Your Honor, the travel
23 documents are downstairs in our office.

24 **THE COURT:** Oh, bring them.

25 **PRETRIAL SERVICES LUGO:** Your Honor, they've been

1 photocopied.

2 **THE COURT:** Yeah, but I want the documents. I want
3 the documents.

4 **MS. GREEN:** Your Honor, the Chinese travel document is
5 in DEA custody, but I can have it brought to the courtroom if
6 you would like it.

7 **THE COURT:** Yeah, bring all the documents. The
8 documents should be here.

9 **MR. FARNHAM:** A copy of the travel document is
10 sufficient? The original is with the DEA, but we propose that
11 a copy of it be the exhibit.

12 **THE COURT:** I want the originals here.

13 **MR. FARNHAM:** Understood.

14 **THE COURT:** Thank you.

15 I mean, yes, I've looked at the copies. I understand
16 that. Yesterday I did look at the documents that were in the
17 custody of Pretrial Services, but of course they weren't the
18 document that is most the recent disclosure.

19 So -- but before they come up, let me -- let me tell you
20 what the center of my focus is so the parties can respond
21 accordingly.

22 I am not focused as the -- the center of the focus is not
23 whether or not the defendant violated a condition of release,
24 and I can go into that for a variety of reasons, not the least
25 of which she was in custody. The document was discovered when

1 she was -- I think when she was in custody. No? I thought it
2 was discovered in -- maybe I have the facts wrong.

3 I thought it was discovered by the document. By the way,
4 we are referring to a document issued by the Chinese Government
5 on June 21st, 2023. Okay, that's the document. And it bears a
6 number T and then everything else has been blotted out except
7 the last two digits 28.

8 Okay. The document was discovered by DEA searching the
9 house, and I had thought that at the time -- the exact time of
10 the discovery of the document, she was still in the custody of
11 the Government, but am I wrong in that?

12 **MS. GREEN:** I'm not sure about how you're defining
13 "custody." My understanding was that the search happened. So
14 in terms of the order of events, she was released from
15 Santa Rita and picked up by the security agents and then the
16 two DEA agents and then driven to the house, and then that's at
17 the point at which they went into the house, the team, to look
18 for any devices and that's when it was found. So she was
19 outside of Santa Rita at that time with at that point the DEA
20 agents and the security personnel.

21 **THE COURT:** She was no longer confined to
22 Santa Rita --

23 **MS. GREEN:** Correct.

24 **THE COURT:** -- but she was at the house but she hadn't
25 been given free rein of the house; she was still -- it was the

1 DEA agents and the two security guards that accompanied her in
2 connection -- yes, sir?

3 **MR. DECOSTE:** Yes, sir. She was --

4 **THE COURT:** I think you have to come forward.

5 **MR. DECOSTE:** I apologize.

6 **THE COURT:** That's all right. Just come forward and
7 identify yourself.

8 **MR. DECOSTE:** My name is Wayne Decoste. I run the
9 security company that is watching her right now. She was --

10 **THE COURT:** You have to speak into a microphone
11 because we're recording it.

12 **MR. DECOSTE:** All right, sir.

13 **THE COURT:** Yeah.

14 **MR. DECOSTE:** Yeah, I apologize.

15 **THE COURT:** That's all right.

16 **MR. DECOSTE:** So I helped escort her from the jail,
17 and she wasn't allowed to leave the custody of the DEA vehicle
18 until that search was complete.

19 **THE COURT:** Okay. All right. So thank you. I
20 appreciate that.

21 **THE CLERK:** Can you spell your last name, sir?

22 **MR. DECOSTE:** Yeah. I apologize. It's Decoste,
23 D-E-C-O-S-T-E.

24 **THE COURT:** Okay. Thank you.

25 The focus of my inquiry is not based on a violation of a

1 condition of release. Instead, it is based upon the
2 representations that were made in connection with the existence
3 of travel documents upon which the Court then fashioned a set
4 of conditions consistent with what was represented to me.

5 That's number one.

6 Number two, I don't think there's a dispute that her
7 counsel advised the Court on numerous occasions that she had no
8 travel document -- that her travel document, that is, passport
9 and other travel documents, were submitted to the Government.
10 Counsel said that on numerous occasions.

11 By the way, everything I say today and everything in my
12 mind is that the counsel was unaware of the existence -- so I'm
13 not quite sure; I'll ask one question about that -- unaware of
14 the existence of this other document at the time they made the
15 representations to the Court. So this isn't about the counsel
16 withholding information from the Court.

17 What it is about is the defendant withholding information
18 at a time on numerous occasions in which she heard her lawyers
19 say that she had no way of traveling because, in fact, she had
20 given her passports and other travel documents to either her
21 lawyer or to the Government.

22 So that's the context in which the Court is examining the
23 question of whether it's appropriate to remand her in light of
24 those representations.

25 Okay. I guess I have a question that I -- well, and I

1 have before me the opposition. I have a declaration from
2 Mr. Giu -- is it Giu or Giu? Is he here?

3 **MR. PETERS:** Yes, sir.

4 **MS. CHOU:** I think Giu, and he should be there, yeah.

5 **THE COURT:** Pardon?

6 **MR. PETERS:** Yes, he's here.

7 **THE COURT:** Yes, he's here.

8 -- as to the circumstances in which he observed the
9 document and what action he took in connection with it. So --
10 but that, in my view, is not the issue. My view is that the
11 issues occurred prior to that time. That's my concern.

12 So -- and I will say also that the opposition filed by the
13 Government -- by the Defense doesn't really address that point
14 other than to say it was either inadvertent or unknowing or a
15 mistake; or I don't exactly understand what their position is
16 as to the question of why the defendant permitted her attorneys
17 on four occasions to say that she had no travel documents when,
18 in fact, she did. She had it.

19 And I guess the big question -- if you want to answer this
20 question, but you may not know, Mr. Peters -- is she turns over
21 her passport to Miranda Kane, I guess, according to your
22 declaration, in February of 2023, and in June or earlier she
23 goes to the Council and she gets another passport. And that's
24 clear, to me, her intention to flee. And I was unaware of
25 that.

1 There's no conceivable -- I mean, I can't think of the
2 explanation. I don't want you to fantasize or speculate why a
3 person can do that. I have no idea what it would be; but if
4 there's an explanation, of course, I'll hear it.

5 And also I will say it's not as if she doesn't understand
6 English. She's completely fluent in English, reasonably fluent
7 in English. She received a graduate degree from a recognized
8 educational institution. She's been living here. And I've
9 been told by Defense there's no need to have an interpreter
10 here, she understands exactly -- she understands what is being
11 said. So it wasn't a failure of communication.

12 And I'll also point out one other thing, not that I need
13 to, but there was an issue as to what this company MakeBelieve
14 was. And Mr. Peters stated -- and, again, I want to emphasize
15 the fact that he can only say that which he was told. He was
16 told that this was a -- apparently he was told, because I don't
17 think -- it's not his company. He was told by someone that
18 MakeBelieve was the company that was -- that furnished payment
19 to independent contractors who were working on -- for the
20 benefit of the company; that it wasn't a, quote, "shell" that
21 was used simply to hold funds but, rather, it was an active --
22 active company.

23 And then when the Government said, "We don't believe that
24 to be the case; we believe it simply to be a receptacle or
25 vehicle for funds to be transferred from accounts in the

1 United States to an account that either she or friends of hers
2 operated to give her access to funds in China" -- the account,
3 by the way, it was in Hong Kong -- that that was their belief.

4 And the Defense came in after the subsequent hearing and
5 said, "We've been unable to receive documents -- to obtain
6 documentation as to this company," which I assume is correct.

7 But the fact of the matter is that the documentation that
8 was provided was suspicious to begin with because there were
9 invoices that were issued not by the company that -- not by
10 MakeBelieve, the company that was given the money, but, rather,
11 by the defendant or the defendant's company.

12 And so that's odd to have an invoice, but it's not
13 entirely inconceivable, but it certainly was consistent with
14 something created after the fact.

15 So for all those reasons, I have a serious concern as to
16 whether or not I have in my possession, or in the court's
17 possession, now all travel documents. I have no idea. You
18 know, maybe, maybe not.

19 And, by the way, it's clear, since there's no dispute,
20 that the existence of this travel document was not conveyed to
21 either the Court or to the Government, the most recent, and
22 that it was the DEA that located it.

23 So I want to identify for the record the travel
24 documents -- all right? -- so we can refer to it. There is,
25 first of all, a document from Homeland Security identified as

1 "Travel Document," and it bears the last three digits 105. It
2 was issued February 26 of 2024.

3 That will be A or B or whatever. Should we give it
4 letters or what, Ms. Scott, or numbers?

5 **THE CLERK:** Numbers, that's fine.

6 **THE COURT:** Okay. That's Exhibit 1.

7 (Court's Exhibit 1 marked for identification.)

8 **THE COURT:** Exhibit 2 is the permanent resident green
9 card.

10 Oh, by the way, I want to, for the record, indicate that
11 while it was issued February 26th, 2024, that's Exhibit 1, it
12 was good through February 25th of 2026. So it's an active
13 document.

14 Number two is a green card, and -- what is referred to as
15 a green card, and that doesn't indicate the date of its
16 issuance but it does say "Resident Since" and has August 5th,
17 '20 -- 2020, and it expires August 5th, 2030. That will be
18 Exhibit 2.

19 (Court's Exhibit 2 marked for identification.)

20 **THE COURT:** Exhibit 3 is a PRC passport, and that is
21 Passport Number ending in the three digits 384. It was issued
22 August 19th, '91, and expired February 22nd, 2008. And that
23 will be Exhibit 3.

24 (Court's Exhibit 3 marked for identification.)

25 **THE COURT:** Exhibit 4 is a current passport, which the

1 last three digits are 997, and it was issued October 14th,
2 2021, and it expires October 13th, 2031, and that document
3 reflects that it is a replacement of a passport -- well, I
4 guess, replacement of a passport ending in 210, two one zero,
5 and it says October 14th, 2021.

6 (Court's Exhibit 4 marked for identification.)

7 **THE COURT:** So those are the four passports plus the
8 document now, which you don't have.

9 **MS. GREEN:** It's still in -- they're bringing it down
10 from evidence. This is a photocopy of it, and it's coming down
11 now hopefully.

12 **THE COURT:** Okay. And this is the document that was
13 seized by the DEA. It will be Exhibit 5, and it is People's
14 Republic of China travel documents in the defendant's name and
15 it bears the number T01732928, and it was issued June 21st,
16 2023, in San Francisco. I don't know if it has an expiration
17 date or not. Maybe it does. I just didn't see it.

18 **MS. GREEN:** Our understanding -- the agent's
19 understanding through speaking to the agents and officers is
20 that it's valid for two years based on what they were told.

21 **THE COURT:** Well, it was obviously -- it was issued in
22 June of 2023.

23 So --

24 **MS. GREEN:** Your Honor, for the record, it's -- thank
25 you, Mr. Farnham -- paragraph three on page 2 of the document.

1 **THE COURT:** Yes, it does say this travel document
2 contains it is valid for two years unless otherwise stated.
3 Okay. And that's Exhibit 5.

4 (Court's Exhibit 5 marked for identification.)

5 **THE COURT:** So I guess if you care to address my
6 questions, my first question would be: Why did she get this
7 passport -- this travel document after turning it over to the
8 lawyer?

9 And I'll have to believe that the lawyer would say to her,
10 "I'm going to hold it because either the Government wants
11 it" -- the Government already told her then they didn't want
12 her to travel. Okay. But that's not an order. I mean, the
13 Government can't tell somebody not to travel. I can. I don't
14 know that the Government can.

15 And so the Government -- she then turns over her passport
16 to the lawyer, and then she goes out and gets another passport
17 two, three months later so she can travel. I mean, that's the
18 only explanation.

19 If you want to address it, you can but you don't have to.
20 And that's of what's a concern to me.

21 **MS. CHOU:** I understand, Your Honor.

22 And thank you, first, Your Honor for allowing me to appear
23 remotely.

24 So this is my first appearance before Your Honor, and my
25 role in the case is I was the attorney who took over the

1 passport after Ms. He delivered it to Miranda Kane.

2 And what is important to this history --

3 **THE COURT:** When did you get the pass --

4 **MS. CHOU:** Sorry, Your Honor?

5 **THE COURT:** When did you get the passport? When did
6 you get the passport?

7 **MS. CHOU:** I obtained the passport I think around
8 maybe March of 2023. I'd have to check the exact date, but in
9 terms of the discussion now, it was before she applied for the
10 travel document.

11 But what's important in this discussion is Your Honor
12 discusses the travel document as a passport, but it's not.
13 It's not a passport.

14 And the two things that came out in all the discussions
15 with the Government were that they wanted her to surrender her
16 passport and they wanted her to not travel. She did both of
17 those things.

18 And I understand Your Honor's reaction. I had the same
19 reaction too; and if I had known about the travel document, of
20 course we would have made very different representations.

21 But going back to the time when she applied for this
22 travel document, there were only those two points of
23 discussion: Turn in your passport and don't travel. And this
24 is not a passport. This is a travel document.

25 And then -- and so I would submit that --

1 **THE COURT:** Why would somebody say -- explain
2 something to me.

3 **MS. CHOU:** Yes, Your Honor.

4 **THE COURT:** Why would the Government say, or someone
5 say, "Turn over your passport," if it's not a travel document?
6 It's not out of some prurient interest to see the photograph on
7 the passport. I mean, the reason people turn over passports is
8 they can't travel, and then she goes out and she gets another
9 one.

10 **MS. CHOU:** Your Honor, that's right. But the point
11 there is that she can't -- she -- the Government does not want
12 her to travel; right?

13 And so what we know is that she didn't travel. And even
14 despite getting this document, she did not travel because that
15 was her agreement with the Government.

16 And I just want to point out that were this a breach of
17 contract case, for example, and the agreement was --

18 **THE COURT:** It's not a breach of contract case.

19 **MS. CHOU:** -- no passport, there was no breach of
20 contract.

21 **THE COURT:** I want to tell you it's not a breach of
22 contract case. It's a breach of trust case. That's what it
23 is.

24 **MS. CHOU:** Yes, Your Honor.

25 And to that point, once the order from Your Honor came out

1 that specified no travel documents -- right, this is not
2 limited to passports, it's no travel documents of any kind --
3 the defendant did then -- or Ms. He did at that point advise
4 her lawyers of the existence of this document and asked to have
5 it turned in.

6 And I just want to present that the foil to this is that
7 there's also this green card that also was never part of the
8 discussions, and I didn't think of it as a travel document.
9 And all the discussions -- my discussions were passport; right?

10 **THE COURT:** I don't care about the green card. I
11 don't care about the green card. The green card simply is a
12 document that allows you to travel in the United States and to
13 enter the United States.

14 The problem is not that the defendant was -- could travel
15 in the United States or enter the United States. I assume, by
16 the way-- I assume, by the way, that -- as I did in the other
17 cases, that I would work out some sort of document, because
18 she's at liberty going back and forth and so forth, where if
19 some police officer stopped her or something, she'd have some
20 identification. That's what a green card does.

21 **MS. CHOU:** Your Honor, yes. I agree with Your Honor.

22 But the point I was trying to make is that the green card
23 actually does allow people to travel outside of the
24 United States. And although it was not called out by any
25 order, Ms. He and her proxies found that document and turned it

1 in in an abundance of caution because the Court's order was so
2 broad that it covered all travel documents.

3 And so I know it's, of course, of concern to this Court,
4 but the explanation I think is that the discussion was always
5 about passports, the discussion was always about whether or not
6 she would leave the United States. And so -- I handled the
7 first -- or I handled -- someone else handled the very first
8 appearance, and then I handled the first one in LA and the
9 first one in San Francisco; and when it got to Mr. Peters and
10 his colleagues, the discussion had always just been about
11 passports and whether or not she traveled, and both those
12 things at the Government's request she --

13 **THE COURT:** Actually, I'm sorry you weren't here, but
14 that's actually not accurate. It's just not accurate. Because
15 Mr. Peters said in her presence continually on four occasions,
16 maybe fewer than four but several, she can't travel because she
17 doesn't have travel documents or a passport. Maybe he said,
18 "She doesn't have a passport. Can't travel."

19 But, in fact, Exhibit 5 it says on its face in English
20 "Issued by the People's Republic of China," it says "Travel
21 Document." So I think something that's called "Travel
22 Document" means you can travel with the document.

23 I mean, that's -- listen, that's my understanding of the
24 English language. And so she had a travel document at the time
25 that Defense counsel represented she didn't have any

1 documentation to travel. That was the thrust of what they were
2 saying, and she permitted them to continually make that
3 representation.

4 **MS. CHOU:** I understand, Your Honor.

5 **THE COURT:** Good. Okay, then, well, you understand.
6 Anything further?

7 **MS. CHOU:** No, but --

8 **MR. PETERS:** Your Honor, can I say something?

9 **THE COURT:** Of course.

10 **MS. CHOU:** -- Your Honor, I think the point I was
11 trying to make was that, one, because I was the person who was
12 originally handling this and had not had discussions with her
13 about other documents and things happened in a rush and there
14 was this handover, we -- counsel made representations based on
15 what counsel knew; and I did not ever talk to her about, you
16 know, green card or any other documents.

17 And sorry, Mr. Peters.

18 **MR. PETERS:** If I may, Your Honor, I take my
19 obligations to this Court very seriously.

20 **THE COURT:** I know you do.

21 **MR. PETERS:** I also take my obligations to my client
22 very seriously. So this is a difficult situation, but I want
23 to -- in the context of this motion, I want to be very candid
24 with Your Honor, and I intend to be.

25 If Mr. Marais or I had known of the existence of this

1 document, we would not have said what we said to Your Honor. I
2 think that goes without saying, but I think I need to confirm
3 that.

4 I also believe, and I think the Court understands, that in
5 the confusion surrounding satisfying the condition of her
6 release, I do believe that our client intended to communicate
7 something about this document to us and to have us surrender
8 it, and it just got kind of screwed up because we weren't told
9 that it had been found.

10 But had it been found and located and turned in, we might
11 still well have been having this discussion because when we
12 turned in the document, it would have raised the same question
13 in the Court's mind about, "Explain to me how this document
14 exists and why you made these representations to the Court."
15 And I understand that.

16 So to answer Your Honor's question --

17 **THE COURT:** Yes.

18 **MR. PETERS:** -- it's a fair inference as to why our
19 client would have applied for and obtained this travel document
20 after surrendering her passport. I actually believe that the
21 proof is in the pudding, that she never used it and traveled.

22 I think she resented the Government investigating her and
23 impinging on her freedom and nudging her, and she went and did
24 what she did. Was it wise? I don't think so. Am I happy
25 about it? No.

1 Does it mean she can or would flee now given the condition
2 and combination of conditions the Court has set? I think the
3 answer to that -- and that's the question that Your Honor has
4 to wrestle with today. I think the answer to that question is:
5 No, she can't and, no, she wouldn't because I believe she
6 intended to have this document submitted to the Court, but it
7 wasn't under circumstances that Your Honor knows about and we
8 didn't know about it before -- until very recently.

9 But we have the guards here who were guarding her 24/7.
10 She's wearing an ankle bracelet. She's been cooperative with
11 the guards. She's under very stringent conditions.

12 This case is very hard to prepare. If she's in custody in
13 Santa Rita -- and I believe, quite honestly, that the Court's
14 own remarks and the Court's order establishing these very
15 stringent bail conditions were not based on the view that she
16 could be trusted but was based on the determination the Court
17 made that these stringent conditions and the combination of
18 them was sufficient to guarantee her appearance, and I submit
19 to you that, in our view, that's still correct.

20 **THE COURT:** Okay. Well, it was based -- I have to
21 tell you, it was based upon the representation that she had
22 already surrendered all travel documents. That, it was based
23 on.

24 And, secondly, it was -- it was -- and I think what is
25 telling in this case is the passage of time in which these

1 statements were repeatedly made and she did nothing to correct
2 her lawyers. That's her decision. But she -- and it's not
3 just that she can't be trusted as I pointed out the last time.
4 If she could be trusted, we wouldn't go through all this. No.
5 She can't be trusted.

6 But I have no idea now whether there's another document
7 somewhere else. I have no idea to what extent people will
8 cooperate with her to flee. I have no idea in the next
9 month -- period of time whether or not an opportunity will
10 present itself. All I know is if a -- if the opportunity had
11 presented itself, she then had, to her knowledge, a document
12 that would have allowed her not only to leave the United States
13 but to enter the People's Republic of China. That's what she
14 had.

15 So, accordingly, I am revoking her status. She is
16 remanded to the custody of the United States Marshal. If there
17 are further proceedings, you want to bring other things to my
18 attention, I'm available to do so; but at the present time, her
19 status is that of somebody who is being confined pretrial.

20 And I will be -- I think -- when's the next hearing in
21 this matter?

22 **MR. FARNHAM:** Your Honor, we do have the original
23 travel document to present to Your Honor. Can we do that?

24 **THE COURT:** I want that in evidence.

25 **MR. FARNHAM:** Yes, Your Honor. So the DEA agent,

1 Agent Alfaro, is here in court. He has it in an evidence
2 bag --

3 **THE COURT:** Yes. Do you have it?

4 **MR. FARNHAM:** -- and we request that he bring it up to
5 Your Honor.

6 **THE COURT:** Yes, please.

7 **MS. CHOU:** I believe we have a status conference
8 October 16th.

9 **THE COURT:** Okay.

10 **MR. FARNHAM:** And he'll hand that to the courtroom
11 deputy. Just the travel document.

12 **THE COURT:** Okay. And that will be exhibit next in
13 order, which I think is Exhibit 5.

14 (Court's Exhibit 6 marked for identification.)

15 **MR. FARNHAM:** And, Your Honor, you'd be keeping that
16 original document with the Court exhibits?

17 **THE COURT:** I think in all -- you don't want them?

18 **THE CLERK:** No. I want to give them back.

19 **THE COURT:** Okay. Exhibit 5 -- all exhibits will be
20 released to the custody of the United States Government or
21 DEA --

22 **MR. FARNHAM:** I would propose --

23 **THE COURT:** -- or Pretrial Services. Where would it
24 go?

25 **MR. FARNHAM:** Yes. I would propose that the travel

1 document that you have in your hand --

2 **THE COURT:** All of them.

3 **MR. FARNHAM:** -- the found one go back to the DEA in
4 their evidence room where it is now and that the other
5 materials go back to Pretrial Services who has --

6 **THE COURT:** Okay. That will be the order of the
7 Court.

8 **MR. FARNHAM:** Thank you.

9 **THE COURT:** All right. And I will see everybody here
10 on the 16th.

11 Thank you.

12 **MS. CHOU:** Thank you, Your Honor.

13 **MS. GREEN:** Thank you, Your Honor.

14 **THE COURT:** We're in recess.

15 (Proceedings adjourned at 11:33 a.m.)

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CERTIFICATE OF REPORTER

I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

DATE: Thursday, October 10, 2024

Kelly Shainline
Kelly Shainline, CSR No. 13476, RPR, CRR
U.S. Court Reporter